

# Exhibit 12

(To the October 26, 2021 Declaration of  
Margaret A. Dale)

**Dalsen, William D.**

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**From:** Alonzo, Julia D.  
**Sent:** Friday, October 22, 2021 4:36 PM  
**To:** Mott, Thomas L.; Mervis, Michael T.; Dale, Margaret A.  
**Cc:** Douglas Koff; Jennings, Taleah  
**Subject:** RE: In re Financial Oversight & Management Board for Puerto Rico, No. 17-bk-3283-LTS (D.P.R.)

Tom,

We do not object to you referencing portions of Mr. Chepenik's testimony from EY's 30(b)(6) deposition on Wednesday on the basis of confidentiality, and you do not need to file a sealing motion.

However, we do object to you filing a motion regarding Mr. Chepenik's deposition as you imply in your email. The proper procedure for discovery disputes is for us to meet and confer, inform the court of our dispute, and then provide the court with letters setting forth our position in 3 business days. See paragraph 17 of the Amended Confirmation Procedures Order. This is the procedure we have followed in our two previous discovery disputes before Judge Dein, and what we discussed on the record at the close of Mr. Chepenik's deposition.

We request that you follow the procedures set forth by the Court.

Thank you.

Julia

**Julia D. Alonzo**  
Senior Counsel  
(she/her/hers)

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**From:** Mott, Thomas L. <Thomas.Mott@srz.com>  
**Sent:** Friday, October 22, 2021 4:24 PM  
**To:** Alonzo, Julia D. <jalonzo@proskauer.com>; Mervis, Michael T. <MMervis@proskauer.com>; Dale, Margaret A. <mdale@proskauer.com>  
**Cc:** Douglas Koff <douglas.koff@srz.com>; Jennings, Taleah <Taleah.Jennings@srz.com>  
**Subject:** RE: In re Financial Oversight & Management Board for Puerto Rico, No. 17-bk-3283-LTS (D.P.R.)

***This email originated from outside the Firm.***

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We will be seeking relief as indicated at the conclusion of Mr. Chepenik's deposition. We do not believe that any portions of his transcript are confidential. Please confirm that you agree, so we do not have to file a sealing motion.

Thanks,  
Tom

**Thomas L. Mott**  
Associate  
212.756.2049

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**From:** Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>  
**Sent:** Friday, October 22, 2021 4:20 PM  
**To:** Mott, Thomas L. <[Thomas.Mott@srz.com](mailto:Thomas.Mott@srz.com)>; Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Dale, Margaret A. <[mdale@proskauer.com](mailto:mdale@proskauer.com)>  
**Cc:** Koff, Douglas <[Douglas.Koff@srz.com](mailto:Douglas.Koff@srz.com)>; Jennings, Taleah <[Taleah.Jennings@srz.com](mailto:Taleah.Jennings@srz.com)>  
**Subject:** RE: In re Financial Oversight & Management Board for Puerto Rico, No. 17-bk-3283-LTS (D.P.R.)

**-CAUTION: EXTERNAL EMAIL from [jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)**  
**Do not click any links or open any attachments unless you are expecting the email and know the content is safe.**

Tom,

In order for us to evaluate your request, can you please let us know what sections of the transcript you will be referencing, and in what filing they will be included?

Thanks very much.

Julia

**Julia D. Alonzo**  
Senior Counsel  
(she/her/hers)

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**From:** Mott, Thomas L. <[Thomas.Mott@srz.com](mailto:Thomas.Mott@srz.com)>  
**Sent:** Friday, October 22, 2021 4:10 PM  
**To:** Mervis, Michael T. <[MMervis@proskauer.com](mailto:MMervis@proskauer.com)>; Dale, Margaret A. <[mdale@proskauer.com](mailto:mdale@proskauer.com)>; Alonzo, Julia D. <[jalonzo@proskauer.com](mailto:jalonzo@proskauer.com)>  
**Cc:** Douglas Koff <[douglas.koff@srz.com](mailto:douglas.koff@srz.com)>; Jennings, Taleah <[Taleah.Jennings@srz.com](mailto:Taleah.Jennings@srz.com)>  
**Subject:** In re Financial Oversight & Management Board for Puerto Rico, No. 17-bk-3283-LTS (D.P.R.)

***This email originated from outside the Firm.***

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Counsel –

We plan to reference certain portions of Adam Chepenik's deposition testimony in a court submission to be made today. We do not believe any portion of his testimony should be treated as Confidential.

However, out of an abundance of caution, in light of the Confidential designation for his deposition in the Joint Informative Motion dated October 15, 2021 [ECF No. 18525], we ask that you confirm by 4:45pm today that we do not need to file the submission under seal, or otherwise redact references to Mr. Chepenik's testimony from our filing.

If we do not hear from you before 4:45pm, we will file under seal.

Best,  
Tom

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